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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,569	02/26/2002	Stephen Savitzky	015358-007100US	8958
20350 7590 04/03/2007 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			EXAMINER GEREZGIHER, YEMANE M	
			ART UNIT 2144	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			04/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/085,569	SAVITZKY ET AL.	
	Examiner	Art Unit	
	Yemane M. Gerezgiher	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/08/2007 has been entered. Claims 1-28 remain pending in this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-7, 10-12, 15-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy et al. (US 20020111911 A1) hereinafter referred to as Kennedy in view of Tabuchi (U.S. Patent Number 6,446,093).

As per claims 1 and 10, Kennedy disclosed:

A method for distributing documents, (Title and Abstract) comprising: producing a first identifier, the first identifier including first information indicative of a first server; [Fig. 3, Page 1 ¶0005 and Page 3, ¶s 0033-0038, Kennedy disclosed a server creating a list and transmitting the generated list to a user, since the list is transmitted via a communication network in a TCP/IP based web communication utilizing a global communication network (the Internet) (see Page 2, ¶0028), the transmitted list/document over the internet inherently comprises some sort of source identifier such as a URL/URI or other header identifier that shows to the source of the list/document].

transmitting the first identifier from the first server to a client based upon at least a request from the client to create the document on the first server in an original document format, the client associating the first identifier with the first document [Kennedy, Figs. 1, 3 and 5; Page 3, ¶0035, Page 4, ¶0043, Page 5, ¶0055 and ¶0060];

transmitting a copy of the first document to the first server [Fig. 3, Page 3, ¶0038 and Page 4, ¶0045];

transmitting a commit request to the first server [Page 3, ¶0041 through Page 4, ¶0043]; and

in response to the commit request, the first server becoming responsive to download requests from one or more distribution servers for one or more copies of the first document, the download requests containing the first information [Page 3, ¶0038-0039, ¶0041, Page 4, ¶0045, Page 5, ¶0055 and

¶0060, Kennedy disclosed distributing the document to the recipients in accordance with the distribution list associated with the document].

Kennedy substantially disclosed the invention as claimed. However, Kennedy was silent about sending a commit signal to the server. However, an artisan now working with the invention of Kennedy can clearly see that Kennedy disclosed receiving user selection of distribution addresses/list; and once the selection is done and sent back to the controller server; the distribution of the document is performed (see Page 3, ¶0035-0041). Nevertheless, it is commonly known and widely practiced feature to send a commit signal in a communication network. By definition, a commit command is an Oracle TM reserved word instructing the database to save all changes made to the database. Thus, it is respectfully submitted that it would have been obvious to one of ordinary skill in the art at the time the invention was made to make use of a commit signal/command and have modified the teachings of Kennedy in order to notify/inform a file server about a completion of any modification made to the information data and to save the changes made.

The teachings of Kennedy substantially disclosed substantially disclosed the invention as claimed. However, even if in identifier of a document object is inherent feature as disclosed above, Kennedy was silent about an identifier adapted for association with a first document, the first document including first information indicative of a first server configured to create the first

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document in an original document format. However, as evidenced by the teachings of Tabuchi, identifier adapted for association with a document, the document including first information indicative of a first server configured to create the first document in an original document format was known in the art at the time the invention was made (see Tabuchi, Abstract, Column 3, Lines 24-64, Column 32, Line 29 through Column 33, Line 48, and Column 34, Lines 11-49). Thus, it is respectfully submitted that it would have been obvious to one of ordinary skill in the art at the time the invention was made to take the teachings of Tabuchi related to document object identifier identifying original document creation associated with a document server and have modified the already modified Kennedy in order to better manage a document shared in distributed system comprising a document server and plurality of clients over the distribution network (Tabuchi, Column 45-48).

Claim 15, has substantially similar limitations in scope as in claim 1 above. Thus, it is rejected with the same rationale. Furthermore, associating a second identifier with the first identifier including the first information was known in the art at the time the invention was made. For example, the WayBackMachine ©/™ (Internet archive, which can be accessed by links (www.archive.org OR www.waybackmachine.org) functions in that exact manner (e.g. archiving a document with "<http://www.mit.edu/>" would produce the following identifiers <http://web.archive.org/web/20041118011936/http://mit.edu/> [associating a second identifier of a document (<http://web.archive.org/web/>)

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and the first identifier identifying the first (original, <http://mit.edu/>) identifier including the information in the first document]. Thus, it is respectfully submitted that it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teachings of Kennedy related to document distribution with addressing of the identifiers in order to preserve the original source identifier of a document.

Claim 24, has substantially similar limitations as in claims 1 and 10. Thus, it is rejected with the same rationale. Further, since the invention of Kennedy was carried out using a computer system, a computer program/code tangibly embodied in a computer readable medium, having therein a series of executable codes and when executed by the computer system to perform the claimed invention as recited in claims 1 and 10 was inherently disclosed by Kennedy.

As per claims 2, Kennedy disclosed the distribution list identifying one or more other servers [Page 3, ¶0038-0039 and Page 4, ¶0045].

As per claim 3, Kennedy disclosed the notification list identifying one or more users [Figs. 4&5 and Page 3, ¶0041-0043].

As per claims 4, 21, 26 and 27, Kennedy disclosed initiating a sequence of operations between the first server and a second server so that the first document is transferred from the first server to the second server in the original format, the download request including the first information [Page 4,

¶0046-0048].

As per claim 5, Kennedy disclosed distributing the first document to a second server in response to the commit request [Page 4, ¶0045-0047 and Figs. 1, 2&5].

As per claims 6, 11 and 22, Kennedy disclosed transferring the first document to at least one intermediate server to produce an intermediate copy in the original format, and transferring the intermediate copy from the at least one intermediate server to the second server [Page 1, ¶0011, page 2, ¶0021-0023, Page 4, ¶0045-0047, Fig. 1, Page 3, ¶0035, Page 4, ¶0043, Page 5, ¶0055 and ¶0060, Kennedy disclosed transmitting a copy of the document to at least one of the document distribution providers, and the distribution provider transmitting the copy further to the distribution service].

As per claim 16, wherein the first plurality of servers is the same as the second plurality of servers (Kennedy, Fig. 1, document distribution servers)

As per claim 17, wherein the first plurality of servers is different from the second plurality of servers (Kennedy, page 4, ¶0046-0047).

As per claim 18, wherein the first document is associated with a first distribution list identifying the first plurality of servers (Kennedy, Page 3, ¶0036-0038 and page 5, ¶0060-0061)

Claim 19, has substantially similar limitation as in claim 18. Thus, it is rejected with the same rationale.

Claims 20 and 25 have substantially similar perception as recited in claim 15 above. Therefore, they are rejected with the same rationale.

As per claims 7, 12 and 23, Kennedy disclosed informing the second server of a distribution request [Page 5, ¶0054-0056]; and in response to the distribution request, the second server initiating a sequence of operations with the first server to transfer the first document to the second server [Page 5, ¶0057-0061 and Figs.1, 2].

4. Claims 8, 9, 13, 14 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy et al. (US 20020111911 A1) in view of in view of Tabuchi (U.S. Patent Number 6,446,093) and further in view of Heddaya et al. (U.S. Patent Number 6,250,481) hereinafter referred to as Heddaya.

The already combined teachings of Kennedy and Tabuchi substantially disclosed the invention as claimed. However, was silent about randomly generating a naming component of an identifier; detecting a change or modification to a document at a first server and if so, in response to the step of detecting, a second computer/server initiating a sequence of operations with the first server to get an updated version of the document presence of an updated document at the first server; and where the first server transmits the updated document to other distribution servers.

However, as correctly admitted by the inventive entity (see specification on page 7, lines 11-16), randomly generating an identifier or a naming

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component of an identifier was commonly known technique in the art of computer networks. Furthermore, as evidenced by the teachings of Heddaya, detecting a change or modification to a document at a first server and if so, in response to the step of detecting, a second computer/server initiating a sequence of operations with the first server to get an updated version of the document presence of an updated document at the first server; and where the first server transmits the updated document to other distribution servers was known in the art at the time the invention was made. See Heddaya, col. 3, line 50 – col. 4, line 48 and col. 16, lines 1-63. Thus, it is respectfully submitted that it would have been obvious to one of ordinary skill in the art at the time the invention was made to take the teachings of Heddaya related redistributing of updated documents among plurality of intermediate distribution server and have modified the already combined teachings of Kennedy and Tabuchi, because such a modification would “eliminate the need for servers to be pooled periodically by large number of cache servers to check for content freshness, thereby reducing the load on the servers” (col. 4, lines 44-47).

Response to Arguments

5. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

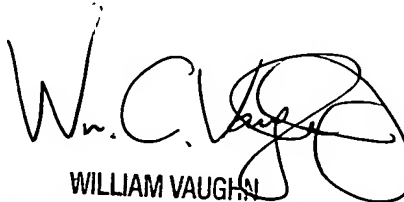
Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yemane M. Gerezgiher whose telephone number is (571) 272-3927. The examiner can normally be reached on 9:00 AM - 6:00 PM Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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